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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/696,840	10/30/2003	Rainer Weisbrodt	WSP219US	9134
7590 04/05/2006 Simpson & Simpson PLLC 5555 Main Street Williamsville, NY 14221			EXAMINER PICKARD, ALISON K	
			ART UNIT 3673	PAPER NUMBER
DATE MAILED: 04/05/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 2-5, 7-9, 11-13, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sheesley in view of Hobson.

Sheesley discloses a flat sealing ring having an elastically deformable base ring and a stiffening ring at an inner or outer edge of the base ring. The base ring (see any of Figs. 7-15) comprises a core of elastically deformable material. The cross-section of the core has a center portion and at least one wing. As seen in the figures, the bead (e.g. 24c) and adjacent valleys can comprise the center. A wing (see portion that line 21f points to) extends directly from the center portion and has first and second planar surfaces parallel to the ring plane. The stiffening ring can be element 22c or plate 30 (e.g. 30i), either of which limits compression. The height of the stiffening ring is less than the greatest height (i.e. bead height) of the base ring. Sheesley does not disclose a protective layer over the base ring. Hobson teaches the use of a protective layer of PTFE over a deformable base ring of a sealing ring to provide chemical and thermal resistance. Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the ring of Sheesley with the protective layer of Hobson to provide chemical and thermal resistance.

Regarding claims 4, 8, and 12, Sheesley does not disclose the stiffening ring is stainless steel. The selection of a known material based on its suitability for its intended use is not considered inventive. See *In re Leshin*, 125 USPQ 416 (CCPA 1960). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to make the ring of stainless steel.

3. Claims 2-5, 7-9, 11-13, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moyers (3,195,906) in view of Hobson.

Moyers discloses a sealing ring having an elastically deformable base ring 25 and a stiffening ring 24 at an outer edge. The base ring has a core of elastically deformable material having a cross-section of a center portion and a wing. The center portion can be any of 38/40/41, 38a, or 38a/50/38b. The wing extends directly from the center portion and has first and second planar surfaces. The height of the stiffening ring is less than the greatest height of the base ring. Moyers does not disclose a protective layer over the base ring. Hobson teaches the use of a protective layer of PTFE over a deformable base ring of a sealing ring to provide chemical and thermal resistance. Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to modify the ring of Moyers with the protective layer of Hobson to provide chemical and thermal resistance.

Regarding claims 4, 8, and 12, Moyers does not disclose the stiffening ring is stainless steel. The selection of a known material based on its suitability for its intended use is not considered inventive. See *In re Leshin*, 125 USPQ 416 (CCPA 1960). Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to make the ring of stainless steel.

Allowable Subject Matter

4. Claims 17, 19, and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

5. Applicant's arguments filed 1-20-06 have been fully considered but they are not persuasive.

Applicant argues that Hobson does not teach completely covering the base ring. The examiner disagrees. Hobson discloses a variety of embodiments of how the coating would cover a base gasket. The embodiments in at least figures 2 and 8-10 show the protective layer extending to the end or past the edge of the gasket. Thus, if Sheesley or Moyers were modified with the cover, it would extend to the end of the gasket and would certainly completely cover at least the base ring if not the entire gasket. Further, Hobson's claims require the jacket "enclosing" the inner member. Thus, Hobson provides teaching to enclose a gasket.

Hobson also discloses the gasket can be "any construction" and shows various embodiments of different gaskets. Hobson teaches that a gasket with "any construction" would be improved with the cover. Thus, modifying Sheesley with the cover would improve the gasket by increasing the chemical and thermal resistance. This is the motivation being applied to Sheesley and Moyers.

Regarding the new cross-section limitations, there is nothing limiting the shape of the "center portion" to that shown in Applicant's figure (i.e. just a bead). Thus, even the beads with

Art Unit: 3673

adjacent valleys/grooves can comprise the "center" of the base ring. And, the flat portions extend directly from the portion identified as the center.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alison K. Pickard whose telephone number is 571-272-7062. The examiner can normally be reached on M-F (10-7:30), with alternate Friday's off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tricia Engle can be reached on 571-272-6660. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Alison K. Pickard
Primary Examiner
Art Unit 3673

AP